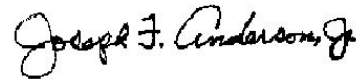




On March 5, 2009, the plaintiff filed a letter requesting the status of his case. In his letter, he indicates that he mailed the Clerk a letter on January 29, 2009 that was received by the Clerk via certified mail. The letter was addressed from “Albert Hoyte.” As a result, the letter was not properly filed in the case because the plaintiff’s name on the complaint is “Albert Hart.” In any event, the court will treat the plaintiff’s January 29, 2009 letter as confirmation of his desire to maintain this action.

Because it now appears that the plaintiff wishes to continue to prosecute this action, the Court will not adopt the Report and Recommendation. The Clerk is requested to return this file back to the Magistrate Judge for further handling.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.  
United States District Judge

March 12, 2009  
Columbia, South Carolina